

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

NATURAL ALTERNATIVES  
INTERNATIONAL, INC.,

Plaintiff,

v.

ALLMAX NUTRITION, INC.; HBS  
INTERNATIONAL CORP.; and DOES 1-  
100,

Defendants.

Case No.: 16-cv-01764-H-AGS

**ORDER GRANTING JOINT  
MOTION FOR DISMISSAL AND  
DIRECTING THE CLERK TO  
CLOSE THE CASE**

[Doc. No. 88.]

On December 22, 2017, Plaintiff Natural Alternatives International, Inc. and Defendants Allmax Nutrition, Inc. and HBS International Corp. filed a joint motion to dismiss all remaining claims and counterclaims in this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a), with each party to bear its own costs and attorneys' fees.<sup>1</sup> (Doc. No. 88.) The Court, for good cause shown, grants the joint motion to dismiss

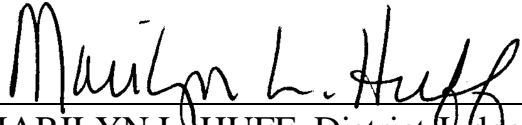
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<sup>1</sup> On June 26, 2017, the Court granted Defendant Allmax's motion for judgment on the pleadings, granted Defendant HBS's motion to dismiss, and granted Plaintiff partial leave to file a second amended complaint. (Doc. No. 64.) In the order, the Court specifically dismissed Plaintiff's claim for patent infringement with prejudice. (*Id.* at 23.) In addition, the Court subsequently denied Plaintiff's motion for reconsideration of that order. (Doc. No. 73.) In the present joint motion, the parties clarify that the

1 and dismisses all remaining claims and counterclaims in this action, counts I-IV and VI in  
2 Plaintiff's second amended complaint and HBS's first counterclaim, with prejudice, with  
3 each party to bear its own attorneys' fees and costs. The Clerk is directed to close the case.

4 **IT IS SO ORDERED.**

5 DATED: January 2, 2018

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7 MARILYN L. HUFF, District Judge  
8 UNITED STATES DISTRICT COURT  
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28 remaining claims in this action are counts I-IV and VI from Plaintiff's second amended complaint and  
HBS's first counterclaim. (Doc. No. 88.)